

APPLICATION GRANTED

SO ORDERED 

VERNON S. BRODERICK

U.S.D.J. 9/14/2023

Plaintiff shall submit the documents supporting her motion to compel by September 18, 2023.

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September 13, 2023

BY ECF

Hon. Vernon S. Broderick
United States District Judge
United States District Court
Southern District of New York
Thurgood Marshall
United State Court House
40 Foley Square
New York, New York 10017

Re: Lori Ostenfeld v. The Guardian Life Insurance Company of America, et al.
Case No. 22-cv-08265 (VSB)

Dear Judge Broderick:

This office represents plaintiff in the above referenced action. In accordance with the schedule previously ordered by the Court, plaintiff, a short while ago, filed her motion seeking to compel the filing of a redacted document. (Letter Motion to Seal, Doc. No. 46).

Pursuant to at § 5 (B) (iii) of your Individual Rules and Practices, plaintiff is required to file, in support of her motion, (1) a copy of the document with the proposed redactions; and (2) under seal, an unredacted copy with the proposed redactions highlighted (with the appropriate level of restriction).

After filing the letter motion, plaintiff attempted to comply with the above by first attempting to file a copy of the document with redactions. Unfortunately, due to the documents size; 1403 pages (approximately 78 MB) the ECF platform was unable to accept the filing.¹ Since the unredacted copy; totaling 4696 pages is even larger, its filing would also be precluded. Accordingly, in order to finalize the submission, it will be necessary for plaintiff to divide the two documents into the requisite number of subfiles; each not to exceed the maximum capacity of the ECF platform.

Accordingly, plaintiff is respectfully requesting an extension of five (5) days; up until September 18, 2023 to complete the filing of the motion.

¹ Apparently documents filed by ECF cannot exceed 10 MB.

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As indicated in the letter motion filed earlier today, the proposed redacted document was settled by both parties after meeting and conferring and defendants, therefore, are in possession of a copy of the redacted document. Accordingly, there is no potential prejudice to defendants should this motion for a brief extension be granted.

We thank the Court for its consideration of this application.

Respectfully submitted,

/s/

Wayne J. Schaefer

cc: Counsel of Record (by ECF)